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History of Early Twentieth Century Child Labor in America

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HIS USP 971 History of American Urban Problems

Professor Dr. Amanda Seligman

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"There is work that profits children, and there is work that brings profit only to employers. The object of employing children is not to train them, but to get high profits from their work."

- Lewis Hine¹, 1908

"Child Labor in America: Two Million Wage Earners Under 16 in This Country, Says Report." The *New York Times* published a news article about child labor on Sunday, October 2, 1921. The news was placed towards the left bottom of the paper in page 21, unlike the political news of a governor's re-election, the case of navy seamen held for murder, or the fire in a new hotel that were placed at the top left of the page. Similarly, the right of the page was filled with generously enlarged advertisements related to W.H. Hall's Furs, Macy's groceries, Bergdorf Goodman's Furs, and Bloomingdale's furniture. Although the situatedness of the news on child labor seemed to be in a remote place of the newspaper indicating the priority it received, its content substantially raised the issue of unemployment of men as they had to compete with readily available underemployed children in the labor market.² Those laboring children worked for few cents, which at times was not better than slavery, so for what wage could the men compete? Similarly, a report published by US Department of Labor Children's Bureau indicated that 12 out of 29 families "definitely needed" the money earned by young family members who worked as newsboys. A newsboy earned \$7-\$9.5 working 17-33 hours per week during 1920s. The news of the two million underemployed children was tip of the iceberg of child labor in early twentieth century America. Thus, the child labor conditions during the period was a vicious

¹ Lewis Hine was a photographer and American Progressive. He was born in Oshkosh, Wisconsin in 1874. In 1908 he began his ten year project of taking more than five thousand photographs of children in child labor for the National Child Labor Committee. See Timothy J. Duerden, *Lewis Hine: Photographer and American Progressive* (North Carolina: McFarland, 2018).

² "Child Labor in America," *New York Times*, October 2, 1921, 21.

cycle that rolled together children's participation in the labor market, adult unemployment and higher reliance of families on their young breadwinners.³

This paper portrays the lived experiences of the children laboring both legally as well as informally in early twentieth century America with closer focus on Wisconsin. In so doing, archival literature on child labor, child labor permits issued by Ozaukee county court, pictures taken by Lewis Hine, clippings and secondary literature such as history books and articles on child labor were referred to. Furthermore, the paper unfolds how children laboring from factories, streets to glasshouses were vulnerable to accidents, underemployment, and exposure to labor at younger age. Apart from the industries seeking cheap labor, there were instances of parental involvement in falsification of the children's age for obtaining work permits. Similarly, the paper illuminates the changing pattern of the work permits that reflect the reformation in laws against child labor, the reshaping of child labor, and to some extent the background of the children to who the permits were issued. Lastly, the paper concludes with historiographical analyses of two contrasting approaches to the history of early twentieth century child labor in America, and the key lesson that could be restrained from the history; there is always a hope for eradication of the rampant child labor existing globally.

Not Accidents but Incidents of Certainties

Two decades before the *New York Times*' publication about two million wage earners being children, Hugh O. Pentecost had delivered a speech in 1902 in Berkeley, "The Little White Slave Trade." He referred to the 1890's census revealing that twelve out of one hundred boys under sixteen from either rich or poor family background were wage earners; similarly, six out of

³ Nettie P. McGill, *Children in Street Work* (Washington: United States Department of Labor Children's Bureau, 1928).

one hundred girls under fifteen were wage earners. As early as six years of age children were being spinners in factory machines. In his speech, he gave an example of an eight year old girl who had lost her index and middle fingers in a machine in Alabama. He claimed that it was not an ordinary factory accident, rather it was an “incident of certainties.” He implied that if children were compelled to child labor especially in hazardous environments then, those kinds of accidents were inevitable. Therefore, he appealed to people to avoid turning their deaf ears to the pains of the children in labor, and to stop being apathetic onlookers. Being onlookers was like being “murderers” to those children, he said.⁴

Searching ‘accident’ as a key term in the National Child Labor Committee Collection, 41 pictures taken by Lewis Hine between 1906 and 1921 appeared. The collection mostly has children from both rural and city areas who had accidents while working in farms, cotton mills, coal mines, and manufacturing factories. Some of the pictures were of clippings that reported either accidents or fatal casualties of children in workplaces. Similarly, the most frequent picture was of Giles Edmund Newsom taken in 1912. Hine took all those pictures on the same day. But, Giles’ two outfits were distinct; one was a striped shirt, and the other was a dark coat above it. In two of the pictures, he was wearing a striped shirt, a pair of dark colored pants with a pair of socks and a pair of black shoes. His bandaged right hand was placed on his abdomen in all pictures (fig. 1).

⁴ Hugh O. Pentecost, *The Little White Slave Trade: An Address Delivered in the Berkeley Lyceum*, (New York: June 22, 1902), Fromkin Memorial Collection, Archive Special Collections, University of Wisconsin – Milwaukee Libraries.



Figure 1. *Accident to young mill worker Giles Edmund Newsom*. Photography by Lewis W. Hine, October 23, 1912. The National Child Labor Committee Collection, Library of Congress Prints and Photographs Division, Washington, DC. LC-DIG-nclc-02697.

Two months before the picture was taken, Giles, a young worker in Sanders Spinning Mill, Bessemer City, North Carolina crushed and tore out his two fingers after a piece of machine dropped on to his foot, mashing his toe, which further made him fall into an unprotected gearing of a spinning machine. More devastating was the aftermath of the accident. On one hand, Giles' age and legality to work were being difficult to confirm for possible compensation from the company. There was ambiguity in Giles age as he reported to an attorney of being 11, whereas his parents were attempting to make him aged 13, and his school teacher thought he was

12. Similarly, on the other hand, due to Giles' disability, he was considered of no financial help to the family, as his family members believed that he could never work like before.⁵

The Work Permits: Legalizing the Evil

Who gives the permit that a child shall work?

Who judges "Now his schooling shall be stopped

That he may earn this money every week?"

Who gives work permits?

- Frances B. Williams⁶

When Pentecost delivered his powerful speech against child labor in 1902, there were already legal provisions around the country against the rampant child labor. For instance, in Wisconsin, the first law that regulated the labor of women and children in industry was passed in 1867. The law prohibited women and children under eighteen to work beyond eight hours each day. The limitation in working hours implied to work in all shops, manufactories, and places used for mechanical or manufacturing purposes. In 1877, additional restriction was kept on employment of children below twelve years old in any factory hiring three or more people. If a child was labored in injurious environment, such as tobacco and cigar factories, cotton and woolen mills, and iron foundries during the school year, penalties were included in the acts. Similarly, in 1878, the restrictions of employment in specified sectors were made effective in all factories and workshops that employed three or more workers.⁷

⁵ "National Child Labor Committee Collection: Search Results," Library of Congress, accessed November 8, 2018, <http://www.loc.gov/pictures/search/?q=accident&co=nclc>.

⁶ Frances B. Williams, "Work Permits," in *Poems of Child Labor* (New York: National Child Labor Committee, 1924), 31.

⁷ Orrin Fried, "Summary of Child Labor Legislation in Wisconsin, Part 1," Children in Urban America Project, accessed November 25, 2018, <https://www.marquette.edu/cgi-bin/cuap/db.cgi?uid=default&ID=5648&view=Search&mh=1>.

Age, Permit, Wage and Strike!

The law of 1899, which was amended in 1901, sought compulsory school attendance for children aged seven to fourteen and restricted employment of children below thirteen years to labor in any shop, store, factory, mine or amusement parks without permit. Yet, a child turning fourteen still meant that s/he would be eligible to get a work permit from a County Judge. In order to get the permit, an affidavit of the child's age had to be filled and an oath had to be taken by parent or guardian. In case of a child with no parent or guardian, the child 'himself' or 'herself' had to do so. For instance, Adam Salzer, a resident of Port Washington, filed applications for work permits and received the permits from Ozaukee County Court Judge for his stepson, aged thirteen in 1902; son who was turning fourteen after eleven days of receiving the permit in 1903; and stepson who turned fourteen four days before receiving the work permit in 1903. All of his sons and stepson were permitted "to labor in and about the plant of the Wisconsin Chair Company until the schools resumed on the first of September" by H. B. Schwin, the County Judge of Ozaukee County.⁸

The same year in 1903, Cornelia, a widow having eight children whose ages ranged from nine months old to fifteen years old, swore to H. B. Schwin, the Ozaukee County judge that her son Theodore was over thirteen years old, strong and healthy, attended school for eight to ten months each year, and his earning was important to support the family. She requested the judge to issue a work permit so that her son could work in the Gilson Manufacturing Company. She mentioned that her son would be doing work that he liked and could do, and he would be paid fifty cents per day. Based on Cornelia's application, H. B. Schwin acknowledged that

⁸ "Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1903-1907, folder 1, box 1, Ozaukee Series 16, Archives Department, University of Wisconsin – Milwaukee Libraries. (Hereafter 'Ozaukee Child Labor Permits').

Theodore's income was necessary to support his minor siblings, so he permitted Theodore to labor until the further order in the premises. After five months, Schwin sent a notice to Gilson Manufacturing Company that due to the change in the law, the permission he had granted to Theodore to labor in the company had been revoked. A day after the notice, Cornelia presented herself again in front of the court and reapplied for Theodore's work permit. She stressed that before her husband had died a year ago, Theodore was going to school regularly since he was six, but with the loss of the key breadwinner, now along with her earnings, she needed her young boy's financial support. Consequently, Schwin permitted Theodore to work in the Gilson Manufacturing Company during his three months' school vacation.⁹

Falsification of age was a major phenomenon that catalyzed children at tender ages to begin labor, as parents of working-class or low-income immigrant families wanted their children to start earning at early age as possible. At times the parents were so desperate to send their children at work that they forged the age. In Pennsylvania a lad named Patrick Kearny had his father signed his work certificate as fourteen. Unfortunately, in 1907 Patrick lost his life in a mine accident. His real age was nine and half. Although Pennsylvania was the first state to set a minimum age for factory workers at twelve and put a statewide ban on child labor based on age in 1848, the loophole in the law was that the age of a child could easily be manipulated. The proof of age was a statement signed by the child's parents.¹⁰

In case of Wisconsin, parents had to file affidavit of their children's age to the county court and take oath for the county judge's authorization of the children's age and their permits to

⁹ "Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1903-1907, folder 1, box 1, Ozaukee Child Labor Permits.

¹⁰ Russell Freedman, *Kids At Work: Lewis Hine and the Crusade Against Child Labor* (New York: Clarion Books, 1994), 52-54; John A. Fliter, *Child Labor in America: The Epic Legal Struggle to Protect Children* (Lawrence, Kansas: University Press of Kansas, 2018).

work. In 1907, Joe Zansin, a Russian immigrant went to the court applying for his son John Zansin's permit to work in the Wisconsin Chair Company. The Chair Company had doubted the age of John Zansin. For children born in America, birth certificate used to be the proof of the age. However, for an immigrant like John Zansin, it was difficult to establish their age. But, the county judge noted that John resided with his father in the city of Port Washington, Ozaukee County in Wisconsin, and was born in Russia, Europe on August 1890. Since, based on the oath taken by Joe, his son John was over 16 years of age, the county judge issued a permit for John to work in the Wisconsin Chair Company. In the absence of official documents including birth certificate or school record that verified the age of the children, solely depending upon parents' or guardians' affidavit for the children's age could easily be falsified if intended to.¹¹

Another vivid story of parents' false affidavit of children's age came to surface during 1912's strike in Lawrence, Massachusetts. The Lawrence strike in which children were heavily involved drew attention of the entire country and the federal government. Before the strike, one half of the Lawrence children aged fourteen to eighteen worked in the textile mills. Despite having all family members working, their income became insufficient for basic survival. Lawrence was a city of immigrants, more than fifty languages were spoken, but all workers understood the language of hungry stomach, so they called strike against the reduction in wages. Consequently, the strikers met brutal confrontations with the soldiers. As the strike prolonged and unsafety rose, thousands of Lawrence children began leaving the city (fig. 2). They left to New York City, Philadelphia and Vermont despite the determination of the city officials to keep the children from leaving Lawrence. The city officials went to an extent that they deployed

¹¹ "Affidavit of Joe Zansin, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1906-1909, folder 2, box 2, Ozaukee Child Labor Permits.

soldiers and policemen to guard the train station doors, trapped the parents and their children, hurled the children into the patrol wagon and sent them to poor farms, brutally arrested the parents, charged them with improper guardianship, and sent them to jail.¹²



Figure 2. *Strike in Lawrence, Massachusetts, with many children leaving the city.* Photograph by George Grantham Bain, 1912. The George Grantham Bain Collection, Library of Congress Prints and Photographs Division, Washington, DC. LC-USZ62-98168.

To address the outrageous situation, the United States Senate called sixteen children to testify. One of the children was Camella Teoli, daughter of an Italian immigrant who had survived a machine gears that had gobbled up her hairs and torn off her scalp's two large sections. The horrifying accident had happened in 1909, about two weeks after she had learned to work in spinning department at a Lawrence mill. Her father had falsified her age and got her

¹² Susan Campbell Bartoletti, *Kids On Strike!* (New York: Houghton Mifflin Company, 1999), 154-173.

papers that certified that she was fourteen when in actuality she was twelve-year-old. The children's testimonies during the federal investigation worsened the embarrassment of the city officials and the mill owners of Lawrence. Consequently, the American Woolen Company of Lawrence yielded and conceded to the demands of the strikers. Similarly, other mill companies in Lawrence eventually complied with the outcomes of the strike, and the children of Lawrence, who had left for New York, Philadelphia, and Vermont returned while forty thousand people gathered to greet them at the train station.¹³

The Changing Format: Reformation of Laws

The affidavit of age form had the legal provisions mentioned and spaces were provided to fill the facts such as name of the parent or guardian, name of child, date of birth details, residency details, school attendance details, health condition, complexion, and hair color. The blank spaces provided in the form were handwritten in black ink, whereas the permits were phrased in type writer. The permits dated and signed by the County Judge were embossed by the court's seal. Apart from the County Judge, Notary Public also signed the "affidavit as to age" forms and the permits. Along with the Notary Public's sign, there were Notary Public's embossed seal along with a stamp below his sign stating the expiry date of the Notary Public's commission. In some cases, there were watermarks, such as "New South Wales," in the permit papers.¹⁴

Gradually, the way work permits, which exempted children aged between fourteen and sixteen to work, were issued changed with the reformation in the state laws. For instance, the

¹³ Bartoletti, *Kids On Strike!*, 174-177.

¹⁴ "Regular Permits, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1903-1907, folder 1, box 1, Ozaukee Child Labor Permits; Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1903-1907, folder 9, box 1, Ozaukee Child Labor Permits

early permits issued in 1903 referred to the “laws of 1899, amended in 1901,” whereas the latter permits referred to the laws of 1903. Similarly, permits issued in between 1903-04 were mostly typewriter printed with manually entered information. However, from 1906 onwards, standard permit forms were printed with blank spaces to be filled for the child’s demographic information, school attendance record, i.e., years of schooling attended including the number of months attended per year, employer, working hours, and validity date of the permit. The blank spaces were mostly filled with hand written information whereas at times they were also filled with typewriter.¹⁵

Most permits seemed to be filled in haste; at times there were missing embossed seals, and sometimes there were writing errors. For instance, a “Regular Permit” issued to Grover, an African American born and raised in Port Washington, Ozaukee since 1906 had marked him to be nine years and ten months but his birth year was indicated as 1892 as in the application filed by his father. He was given permission to work in Wisconsin Chair Company. Likewise, blank space before “school” was mostly left empty, not identifying which school the child receiving the permit went to, but the number of months per year as well as the total number of schools attended were usually mentioned.¹⁶

Interventions of Industrial Commission of Wisconsin

Wisconsin was making more interventions to child labor. For instance, the work permits restricted children to work beyond ten hours per day, and not more than six days a week,

¹⁵ “Regular Permits, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1903-1907, folder 2, box 1, Ozaukee Child Labor Permits.

¹⁶ “Regular Permit of Grover Mawer, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1906-1910, folder 2, box 2, Ozaukee Child Labor Permits; “Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1906-1910, folder 2, box 3, Ozaukee Child Labor Permits.

between 7 a.m. to 6 p.m. The permits had an expiry date. In addition, the employers were subject to keep the permits until the children remained employed, and if the employment expired, the permits were to be returned to the respective children. Likewise, in the permits issued from 1907, an additional parameter to working hours was added; the children were restricted from working more than fifty-five hours per week. Towards the end of the permits the new condition on the working hours was added with handwriting. This change was to comply with the amendments made in the laws. Also, the handwritten addition of conditions in the permits instead of having them printed in the permit papers were probably done to utilize the unused permit papers printed before the amendments made in the laws.¹⁷ However, despite the change in the working hours, the children might have been expected to complete the same amount of work as before. One of the reasons the Lawrence strike had broken was that with the reduction in the legal working hours, the workers were expected to complete the same amount of work as before but were not paid accordingly. In addition, despite working fifty-five hours a week and having all family members working, the children were still hungry. Therefore, the strike broke, every worker understood the language of hunger and poverty.¹⁸

In 1907, the permit exempting children between fourteen and sixteen years of age from laboring was amended and the new “Regular Permit” forms referred to the “Laws of 1907.” The change in Wisconsin’s labor laws was a response to the introduction of the first bill in Congress to prevent the industrial exploitation of children, and the legislation passed to allow secretaries of commerce and labor to investigate and report on child labor on January 1907. Therefore, the new permit form collected more information about a child seeking a permit. For instance, if the child

¹⁷ “Regular Permits, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1906-1910, folder 2, box 2, Ozaukee Child Labor Permits.

¹⁸ Bartoletti, *Kids On Strike!*, 174.

was residing with his/her father and mother, attended the public or the parochial school, was able to read and write simple sentences in the English or a space was provided to fill in to mention the native language, and the “fifty-five hours per week” of work limit along with rest of the working hours information was underlined.¹⁹

Towards 1909, apart from the County Judge, a Notary Public also provided the permit based on the same laws of 1907. Like the county court, the Notary Public had to seal the permit with embosser, and have similar information, but the permit form was differently designed. Also, the expiry date of the Notary Public was stamped below the signature line.²⁰ In addition, the respective judge of County Court Chambers had to send the updated copies of all labor permits issued by the judge to the Commissioner of Labor. Furthermore, education was emphasized while regulating the laws against child labor. Based on the Laws of 1909, a School Officer, either the Principal or the School Clerk had to provide “Recommendation for Permit.” The form had more detailed information that verified a child’s demographic information, school attendance record, i.e., if the child was “regular” or “irregular” in school, and more detailed information about the child’s height, weight, family size, parents’ residence with the child, father’s and mother’s weekly income, number of children working for wage, combined income of those children, ownership of home or rented house, nationality, religion and years of schooling of father and mother. Collecting such information, the Commissioner of Labor and Industrial

¹⁹ “Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1906-1910, folder 3, box 2, Ozaukee Child Labor Permits; Fliter, *Child Labor in America: The Epic Legal Struggle to Protect Children*, 242.

²⁰ “Regular Permits, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1906-1910, folder 3, box 2, Ozaukee Child Labor Permits.

Statistics was preparing to develop further legal provisions on compulsory education and child labor.²¹

The Wind of Change: Wisconsin's New Child Labor Permits

The Industrial Commission of Wisconsin, Madison started to regulate child labor closely after the introduction of the new laws in 1911 which was more restrictive towards child labor compared to earlier laws because the Bureau of Labor and Industrial Statistics and progressive reformers were closely inspecting child labor. Unlike earlier child labor permits, the new permit form had the Commission mentioned on the header, and the County Judge was required to verify that the required papers were duly examined, approved and filed. In addition, the working hours had to be not longer than 48 hours in any one week, not more than eight hours per day, not more than six days per week, and the working hours had to be between 7 a.m. to 6 p.m. There was also provision for lunch or dinner time, the duration had to be not less than one-half hour every day. With the new law, the child labor permit had to be kept by the employer during the period of the child's employment. When the employment expired, the employer had to return the permit to the county judge within 24 hours along with a reason statement for termination of the employment. There was no such condition mentioned in the regular permits issued before 1911. However, in the vacation permits, if the employment expired then the permits had to be returned to the child. Therefore, the new acts attempted to keep track of the children under employment. Unlike earlier, the permit was not merely recorded in the county court or issued to the child for employment, but one copy had to be sent to the Industrial Commission at Madison along with

²¹ "Recommendation for Permit by School Officer, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1906-1910, folder 5, box 2, Ozaukee Child Labor Permits.

evidence statement of the issuing officer, the county judge. Likewise, the Commission held the right to revoke the permit for any cause at any time.²²

The new child labor permit had conditions for facilitation of education of the minors between the ages 14 and 16 working under the permit. If there was continuation school for the minors in the place of residence, the children had to attend the continuation school at least 5 hours per week for six months every year, and the employer was obliged to allow the children a reduction in the working hours of at least 5 hours per week. Similarly, there were two forms placed together on a page. The first half of the page consisted the application of the minor for permission to labor; this had to be filled by guardian or parent of the child and endorsed by the county judge or Notary Public. Likewise, the second half of the page consisted a recommendation for the permit by the school officer. However, in case of the vacation child work permit, which could be issued for employment of children between 12 and 14 years of age, the certificate of educational qualifications was not required. Such vacation work permits were valid until September 1st and issued during June.²³ Thus, the legal education requirement for children in Wisconsin was high, but the age of providing permit for children to work was low.²⁴

The permits issued from 1915 were being more restrictive and detailed. Similarly, unlike its yester years when most of the permits issued were regular permits, from 1915 onwards, the number of vacation permits issued increased. The vacation permits had “EMPLOYER: READ THIS PERMIT!” in bold, upper case and in large font at the top of the permit page. There were

²² “Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1915-1917, folder 1, box 4, Ozaukee Child Labor Permits; “Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1915-1917, folder 4, box 3, Ozaukee Child Labor Permits.

²³ “Employer: Read This Permit, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1915-1917, folder 4, box 4, Ozaukee Child Labor Permits.

²⁴ Harold Cary, “Wisconsin Says No,” in *Selected Articles on Child Labor*, compiled Julia E. Johnsen (New York: The H.W. Wilson Company, 1925), 209.

instructions to the employer, to the permit issuing officer, and a caution note on penalties for violation of the Child Labor Law. The information in the permits were both typed and hand written.²⁵ 1916 onwards the permits were accompanied by Certificate for Child Labor Permit by School Officer,” and official letter of employment offer for the child. At times the “official letters” were printed in letter sized papers with the official letterhead, dated, stamped and signed. Whereas, at times they were casual and simple notes addressed to the county judge. The notes were written either on a slip with the company’s name printed or a small piece of paper with no such prints. Some of the companies that wrote to the Judge, noting that the child would get employment and requesting for issuing a permit, were the Badger Raincoat Company that manufactured men’s and women’s rainproof clothing; the Cedarburg Woolen Mills; the Excelsior Shoe and Slipper Company that manufactured medium priced shoes; the Badger Worsted Mills that manufactured worsted and woolen yarns; the Wisconsin Chair Company, Cedarburg Canning Company; the Knellsville Pea Canning Company; the Belgium Cannery; the Milwaukee River Canning Company; and the Jungers Stove and Range Company.²⁶

Similarly, the format of the permits was further improved in 1916. The regular permits also had the “EMPLOYER: READ THIS PERMIT!” note at the top. The information in the permit were filled in with type-writer only to enhance legibility. At the bottom of the permit page there were the caution notes that warned the employer about penalties for violation of Child Labor Law including information to “READ THAT SCHEDULE” at the back of the page which

²⁵ “Industrial Commission of Wisconsin, Madison, Wisconsin, Child Labor Permits, County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1915-1917, folder 3, box 4, Ozaukee Child Labor Permits.

²⁶ “Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1915-1917, folder 5, box 4, Ozaukee Child Labor Permits; “Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917,” 1915-1917, folder 6, box 4, Ozaukee Child Labor Permits.

had 23 employment prohibitions to children under 16, and the condition at which the employer had to be liable if a child was injured while unlawfully employed under the liability laws. In the case of injury during unlawful employment neither the liability insurance covered the injuries nor could the case be settled under the compensation law.²⁷

The furnishing of the work permits in Wisconsin was proof that the laws could be framed and reframed to solve the problem of child labor. In Wisconsin, if a child got injured while at work illegally, either working without permit or doing prohibitive work, the company had to pay three times as much compensation as it would have paid if the injured child had worked legally. The insurance company paid the regular compensation amount, whereas the employer of the injured child had to double the sum unless the employer became bankrupt. In the latter case, the insurance company had to pay the extra two-thirds. If the injured child suffered from permanent total disability, under the law the maximum amount recoverable was \$49,000. The projection of the acts hit the insurance companies so hard that, they supplied myriad literature prepared by the Industrial Commission to warn their policy holders at their own cost, and made sure the factory officials knew those laws or lost their jobs.²⁸

Likewise, if decadal change in the number of permits issued in Wisconsin is compared between 1918-19 and 1928, there is vast drop. For instance, in 1918-19, the total permits issued to children in Wisconsin was 20,093. Interestingly, the number of permits issued in Milwaukee and that issued in rest of the Wisconsin counties were almost equal. Milwaukee issued 5,428 regular permits, 3,709 vacation permits, and 538 after-school and Saturday permits. Whereas, other counties altogether issued 5,445 regular permits, 4,368 vacation permits, and 605 after-

²⁷ "Employer: Read This Permit, Wisconsin. County Court (Ozaukee County): Child Labor Permits, 1903-1917," 1915-1917, folder 5, box 4, Ozaukee Child Labor Permits.

²⁸ Cary, *Wisconsin Says No*, 209-211.

school and Saturday permits. Similarly, in 1928, total of 14,326 permits were issued, of which 5,791 were issued in Milwaukee, and 8,535 were issued in Wisconsin except Milwaukee. In Milwaukee, 3,483 regular permits were issued that year whereas 3,652 regular permits were issued by rest of the Wisconsin counties. Although, numerically, the number of permits issued was in decreasing trend, but the situation of child labor was still harsh. For instance, all children receiving regular permits were required to have fitness tests. Out of 3,483 fitness tests in Milwaukee, only 246 children were free of defects, majority of the children had dental defects, and others had throat trouble, malnutrition, eyes problem, heart problem or other physical problems.²⁹

Neglected Child Labor: The Illusion of Near

Although the laws were being amended and legislation against child labor was being introduced, the laws focused more on prevention of children from laboring in mines, manufacturing and mercantile establishments. However, children laboring in the city streets as bootblacks, newspaper sellers, messengers, scavengers, and peddlers were more neglected. The city streets were the ultimate playground, especially for children of working class. Therefore, regulating of children in the city streets by providing adequate playground facilities for them had been a necessity. Furthermore, child labor reformists like Edward Clopper voiced that child labor in all forms including that in the city streets had to be abolished, and the abolition was not just for those laboring children, but it was for a civic American society.³⁰

²⁹ Industrial Commission of Wisconsin, *Child Labor in Wisconsin: 1917-1935* (Wisconsin: Industrial Commission of Wisconsin, 1936), <https://hdl.handle.net/2027/mdp.39015073803184>.

³⁰ Edward N. Clopper, *Child Labor in City Streets* (New York: MacMillan Company, 1912).

Likewise, in 1910s, there were social workers lobbying against child labor in the city streets. For instance, in Chicago in 1911, social workers raised their voice demanding prohibition against boys under ten years and girls under sixteen years from selling anything in city streets.³¹ Similarly, in Milwaukee, more than half of the evening daily newspapers were sold by newsies; the majority were boys and few were girls.³² In order to enforce the Street Trades Law, a Newsboy's Republic was formed in Milwaukee in 1913 as self-governing body under the auspices of the Wisconsin Industrial Commission. The republic consisted the children who were working under the permits issued by Street Trades Commissioner. So, rest of the newsies under the age of sixteen in Milwaukee were compelled to obtain a permit before working.³³

In addition to the children laboring in the city streets, the city children who were taken to work in the outskirt farms and sugar beets were also overlooked (fig. 3). For instance, there were pictures of children working on sugar beet or corn or cranberry farms near Chilton, Menomonee Falls, Fond du Lac in Wisconsin taken by Lewis Hine in 1915. Those children were brought to the farms from nearby towns to work. Among those children was three year old Hilda who had begun beet work, and other children aged from six to fourteen,³⁴ Therefore, these city children

³¹ Clopper, *Child Labor in City Streets*.

³² Alexander Fleisher, "The Newsboys of Milwaukee," Milwaukee: Milwaukee Bureau of Economy and Efficiency, 1911, <https://www.marquette.edu/cgi-bin/cuap/db.cgi?uid=default&ID=5948&view=Search&mh=1>.

³³ "Milwaukee's Newsboys' Republic," Children in Urban America Project, accessed November 28, 2018, <https://www.marquette.edu/cgi-bin/cuap/db.cgi?uid=default&ID=4167&view=Search&mh=1>.

³⁴ "National Child Labor Committee Collection: Search Results," Library of Congress, accessed November 8, 2018, <http://www.loc.gov/pictures/search/?q=wisconsin&co=nclc&sg=true>.

who were laboring outside of industries, factories and mines were tangibly present but often ignored as they were seemingly the “illusions of the near.”³⁵



Figure 3. *Children brought from the nearby town to work in the sugar beets for Louis Startz, a farmer near Fond du Lac, Wisconsin.* Photograph by Lewis W. Hine, July 1915. The National Child Labor Committee Collection, Library of Congress Prints and Photographs Division, Washington, DC. LC-DIG-nclc-00273.

Another industry that employed boys and girls in Milwaukee was glass manufacturing. The Chase Valley Glass Company established in 1880, employed local children as scavengers to collect broken glass and discarded bottles from the city streets and the garbage bins. Those neighborhood scavengers were promoted to helpers in the glass factory that produced hand-blown druggist-ware, canning jars, bottles, and later windows. Although machines deskilled

³⁵ Nettie P. McGill, *Children in Street Work*, (Washington: United States Department of Labor Children's Bureau, 1928).

glassblowers in 1910, the unskilled, non-union, cheap children labor continued until sophisticated machines eventually ended child labor in 1922.³⁶

Hustlers or Victims of Child Labor: Revisiting the History's Lenses

Children have always been working, be it in agrarian or industrial or post-industrial societies. Nevertheless, are all working children subjects of child labor? Until the twentieth century, children laboring had been a norm, and there was no question of physical or mental wellbeing. At present, the International Labor Organization defines child labor as work done by children that deprives them of physical and mental wellbeing and interferes their schooling, whereas children working in a safe environment for helping parents or earning pocket money during vacation without affecting physical and mental health and schooling are seen positively.³⁷

However, at times children belonging to working-class families, despite laboring even for subsistence, could find the process engaging, entertaining and opportunities for lifelong learning. Hereafter, comparative reviews of two books on child labor history in early twentieth century America is done to illuminate some historical light on this paper. The first book is written by David Nasaw, who presented lives of city children of working-class to be lively. Similarly, the second book is written by Hugh D. Hindman who presented child labor as normative problem. The two books, although written about the history of less privileged children and their childhood in early twentieth century America, differ in terms of their presentation, conceptualization and analysis of the same phenomenon.

³⁶Nicholas J. Hoffman, "Miniature Demons: The Young Helpers of Milwaukee's Glass Industry, 1880-1922," *The Wisconsin Magazine of History*, no. 1 (Autumn 2007): 4, <http://www.jstor.org/stable/4637235>.

³⁷ "What Is Child Labor," International Labour Organization, accessed November 20, 2018, <https://www.ilo.org/ipecc/facts/lang--en/index.htm>.

David Nasaw in his book *Children of the City: At Work and At Play* wrote about children and the American cities they grew up in playing and working. He focused on the early decades of the twentieth century. He presented the city children of the first decades of the twentieth century as privileged compared to their counterparts in rural America, and the children of nineteenth century. According to him, unlike their rural counterparts and those from nineteenth century, the early twentieth city children were not compelled to work in mines, mills, and canneries or as agricultural laborers on sugar beet, cotton, and berry fields. Instead the city children transformed the urban spaces such as streets, stoops, sidewalk, alleyways and the wastelands into their play spaces. However, Hugh D. Hindman in his book *Child Labor: An American History*, problematized child labor in American history as a social and economic problem. His thesis was centered on industrialization being the major cause of rise of child labor problem and in latter phase a hindrance to child labor eradication. Therefore, Hindman and Nasaw have distinct approaches to analyze the history of child labor in early twentieth century America. Hindman's approach is that child labor was intrinsically a social problem during that period. In contrast, Nasaw did not buy the preassumptions like that of Hindman. Instead, Nasaw tried to present the lives of children in city streets during that period from their perspectives, and not that from their parents, teachers, child labor reformers or juvenile justice authorities.

In addition to the difference in the orientation and the theoretical groundings of the two authors while presenting the lives of working children, the two authors also differ in terms of scope and coverage of their books. Nasaw narrated the lives of children playing and working in cities, from being supervised workers in shops to independent hustlers, newsies, scavengers and most importantly the young American dreamers. At times, Nasaw's tone was romantic and entertaining as he vividly portrayed children entertaining themselves and learning

entrepreneurship in streets. Nevertheless, Hindman drew the child labor history across industrialization, child labor reformation, and children in coal mines, manufacturing, cotton textiles, sweatshops, street trades and agriculture. Thereafter, he linked the child labor history to contemporary child labor in America and rest of the globe.

Hindman questions at the moral depravity when the children worked in streets as night messengers. For instance, he directly quoted Edward F. Brown's very first interview with a night messenger in Philadelphia in 1910. The case depicted how children working as messengers at night were vulnerable to the detrimental effects of dark night lives; drugs, prostitution and crime. The children working as messengers carried more than correspondence for the postal, telephone and telegraph services they worked for. They received myriad errands; bought hats for men and women in the whorehouses, meals, cigarettes, drinks, clothing, groceries, and drugs like cocaine. Such plight of the night messengers was not merely in Philadelphia or Pittsburgh where Edward Brown investigated, according to Hindman, but every large city in America had similar situation.³⁸

Similarly, Nasaw cited the discovery of Elsa Wertheim, special officer of the Juvenile Protective Association in Chicago about the two brothers hustling newspaper at the late hour. Seven years old Johnnie accosted the passers-by with his "last paper" as soon as the customer's back was turned and he fished in the money, thirteen years old Harry came out of his hide and supplied the next "last paper" to Johnnie. So, the newsies put up shows, as the hungry, poor and shivering child trying to sell the "last paper" and hoping to go home, outside cinema halls or restaurants or street intersections until late night. Of course, the "last paper" was replaced with

³⁸ Hugh D. Hindman, *Child Labor: An American History* (New York: M.E. Sharpe, 2002), 216-218.

another “last paper” from the stock secretly fished out after a customer bought both the paper and the newsie’s fine act.³⁹

In conclusion, the two historians took alternative lenses to portray, interpret and analyze the child labor history in early twentieth century America. Nasaw’s claims were that children working during the first decades of the twentieth century in the American cities required a view from those who lived the experiences. Furthermore, those lived experiences of the working-class children in the streets were not necessarily delinquent, wasted or immoral as the parents or the teachers or the then reformers presented. In fact, children enjoyed the freedom, freedom from the adults’ surveillance at home and school. They learned from each other, they learned how to develop strategies for sales and rewards. For instance, newsies needed strategies to determine how many papers they required to purchase so that they did not run out of stock while the customers remained or they did not remain with a stock of newspapers by the time the news got stale. However, much of his references were the Hollywood stars, successful professionals who once in their lifetime ran on streets for subsistence, extra money for family and entertainment. In contrast, to Nasaw, Hindman presented child labor as problematic issue of the past and the present. He referred to several events in the history of child labor in America, the reforms, and the fields where children were exploited, exposed and made vulnerable towards poor physical, mental and social health. Those events of the past and his perspectives on it could be relevant in understanding child labor and eradicating its different forms in the present America as well as in the globe.

These two books provided diverse insights in developing this research paper. Firstly, Nasaw’s approach alerted against falling for the meta-narrative of child labor being necessarily

³⁹ David Nasaw, *Children of the City: At Work and at Play* (New York: Anchor Press, 1985), 84.

evil and unproductive. Secondly, Hindman's approach sowed layers of skepticism against industrialization amplifying child labor in early twentieth century America, and its continuing effects on child labor in several emerging economies of present. These readings informed that despite the improving legal provisions such as issuance of child labor permits, and involvement of schools as priority to the children's education, there were loopholes in the legal system. Those loopholes victimized young children to labor either with the permit or without it. At times, the children's age could have been deceived with their parents' affidavit, or they were laboring in streets or farms or other forms of works that were untouched by the legal regulations that restricted child labor. Likewise, this paper has limited exploration about the children laboring informally due to lack of proof of age and consequent absence of work permits. Those children were potentially more subaltern, vulnerable and exploited than the children holding the work permits.

Conclusion

In the early twentieth century America, the percentage of children in labor force began dropping with the effect of child labor laws, progressive movements for compulsory education, and decline in demand for unskilled cheap labor. In contemporary American society, about 85 percent of high school teenagers have or have had a part-time job. For the adolescents, having an employment is transitioning into adulthood and gesture of becoming independent. However, the fundamental difference between children working in early twentieth century and those at present is that the working-class children had no alternative but work at young age to support their family whereas about 94 percent of the American teenagers work today to have their own money

for spending.⁴⁰ However, the early twentieth century children had to sneak out few pennies for their conspicuous consumption, such as have candy, gum, ice cream, apple pie or see flickers at the nickelodeon, before handing over their earnings to their parents. Globally, there are 218 million children between five to seventeen years age who are currently employed, of which 152 million are victims of child labor, and 73 million work in hazardous child labor conditions. Thus, the history of early twentieth century child labor in America gives a strong hope and proof that the global problem of child labor can be solved.⁴¹

⁴⁰Marvin J. Levine, *Children for Hire: The Perils of Child Labor in the United States* (Connecticut: Praeger, 2003), 173-174.

⁴¹Nasaw, *Children of the City: At Work and at Play*, 115-117; International Labour Organization, "Global Estimates of Child Labour: Results and Trends 2012-2016," (Geneva: International Labour Organization, 2017), https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575499.pdf.